

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, MAY 8, 2007, AT 7:00 P.M.**

The meeting was called to order by Mayor Elaine M. Scruggs, with Vice Mayor Manuel D. Martinez, and the following Councilmembers present: Joyce V. Clark, Steven E. Frate, David M. Goulet, Yvonne J. Knaack, and H. Philip Lieberman

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER

A statement was filed by the City Clerk that the five resolutions and two ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

APPROVAL OF THE MINUTES OF THE APRIL 24, 2007 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Clark, to dispense with the reading of the minutes of the April 24, 2007 regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

PROCLAMATIONS AND AWARDS

2007 RUTH BYRNE HISTORIC PRESERVATION AWARD

This is a request for the City Council to honor the Glendale Woman's Club as recipient of the 2007 Ruth Byrne Historic Preservation Award.

The Fiscal Year 2007-2008 City Council Goals and Objectives, "One Community with a Vibrant City Center", is implemented through this award to honor those who have given outstanding service in the preservation of Glendale's heritage.

The annual Ruth Byrne Historic Preservation Award has been in existence since 1996, and is a way for the community to honor its citizens and organizations for outstanding contributions to historic preservation.

The Glendale Woman's Club has been addressing the issues concerning the Glendale Community since 1901. The Club has been very important to the social and cultural life of the community. The Glendale Woman's Club built their clubhouse in 1912, and is open for use by the community. The clubhouse was listed on the National Register of Historic Places in 1989.

On March 22, 2007, the Historic Preservation Commission reviewed the nominations and made the unanimous decision to award the Ruth Byrne Historic Preservation Award to the Glendale Woman's Club.

The Council presented the 2006 Ruth Byrne Historic Preservation Award to Julia Phillips on May 9, 2006.

The award increases awareness and support for historic preservation activities and helps to create a strong positive image of Glendale as a city that is committed to historic preservation.

The recommendation was to present the 2007 Ruth Byrne Historic Preservation Award to the Glendale Woman's Club.

Mayor Scruggs called Ms. Ruth Byrne and Mr. David Jarnagin, Chair of the Historic Preservation Commission forward for the presentation.

Mr. David Jarnagin presented the 2007 Ruth Byrne Historic Preservation Award to Ms. Joan Van Dusen, President of the Glendale Women's Club, who accepted the award on behalf of the Glendale Woman's Club.

Mayor Scruggs thanked the Women's Club for everything they do in the Community. She said they were a very important part of the City of Glendale.

2007 NATIONAL HISTORIC PRESERVATION MONTH PROCLAMATION

This is a request for the City Council to issue a proclamation recognizing May 2007 as National Historic Preservation Month.

The proclamation would help to implement both the adopted Historic Preservation Plan and the Historic Preservation Element of the General Plan. Additionally, the proclamation would help to implement the City Council's goal of "One Community with a Vibrant City Center".

The National Trust for Historic Preservation sponsors, in partnership with communities and historical societies throughout the nation, recognizes May as National Historic Preservation Month. Communities are encouraged to conduct historic preservation awareness activities. The Historic Preservation Commission will hold its fourth Annual Historic Preservation Bus Tour on May 12, 2007, by touring the four historic districts and recently added individual historic properties on the National Register.

The Mayor and City Council has annually proclaimed May as National Historic Preservation Month.

The recommendation was to issue a proclamation recognizing May 2007 as National Historic Preservation Month. If approved, the Chair of the Historic Preservation Commission would accept the proclamation.

Mayor Scruggs proclaimed May 2007 as National Historic Preservation Month. She presented the proclamation to Mr. David Jarnagin, Chair of the Historic Preservation Commission.

Mayor Scruggs recognized Mr. Ron Short, Deputy Planning Director, for all the great staff work that he does in helping preserve Glendale's history.

Mr. David Jarnagin thanked the Mayor and City Council for the Proclamation. He also thanked Ms. Ruth Byrnes and Mr. Ron Short for their dedication to the City of Glendale.

PROCLAIM MAY 20 THROUGH MAY 26, 2007 AS NATIONAL PUBLIC WORKS WEEK

This is a request for the City Council to proclaim May 20 through May 26, 2007 as National Public Works Week.

Kenneth A. Reedy, Deputy City Manager for the Public Works Group will accept the proclamation from Mayor Scruggs.

The American Public Works Association is designating the week of May 20 through May 26, 2007 as National Public Works Week. National Public Works Week is a celebration of the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively known as public works.

The proclamation seeks to raise the public's awareness of public works issues, and to honor the professional men and women who serve the public good every day with quiet dedication. Glendale Public Works employees manage water, wastewater, and solid waste systems, as well as environmental programs, public buildings, fleet maintenance, graffiti removal, city roadways, and right-of-way beautification.

Public Works personnel benefit the community on a routine basis by providing essential city services. In addition, Public Works personnel are among the first responders during emergencies and natural disasters, often going above and beyond the call of duty in order to quickly maintain and restore needed city services. Public Works personnel continue to work diligently to complete clean up efforts after the crisis is over, and long after other first responders have departed.

The recommendation was to proclaim May 20 through May 26, 2007 as National Public Works Week and present the proclamation to Kenneth A. Reedy, Deputy City Manager, Public Works Group.

Mayor Scruggs proclaimed May 20 through May 26, 2007 as National Public Works Week. She presented the proclamation to Mr. Kenneth A. Reedy, Deputy City Manager, Public Works Group.

Mr. Kenneth Reedy thanked all the former and current public works employees for the work they do everyday.

Mayor Scruggs recognized former Mayor Max Klass who was in attendance.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read agenda item numbers 1 through 5 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 6 and 7 by number and title.

1. LIQUOR LICENSE NO. 3-1114 GARCIA'S MEXICAN RESTAURANT

This is a request for the City Council to approve a new Series 12 (Restaurant – All Liquor) license, operating with an interim permit, for Garcia's Mexican Restaurant, located at 17037 North 59th Avenue. The Arizona State application (number 12077057) was submitted by H. J. Lewkowitz.

The 60-day deadline for processing this application is May 21, 2007. The location of the establishment is 17037 North 59th Avenue and is within the Sahuaro District, zoned C-2 (general commercial). Garcia's Mexican Restaurant has operated at this location from March of 1998 to the present, under two different ownerships. The Series 12 liquor license (12075425) expired on 3/31/2007; therefore the current owners are applying for a new license while operating with an interim permit. The population density is 2,989 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 51 as listed below:

Series	Type	Quantity
6	Bar – All Liquor	11
7	Bar – Beer & Wine	3
9	Liquor Store – All Liquor	3
10	Liquor Store – Beer & Wine	6
12	Restaurant – All Liquor	28
	Total	<u>51</u>

No previous action has occurred.

No protests were received during the 20-day posting period.

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department, have reviewed the application and determined that it meets

all technical requirements. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. LIQUOR LICENSE NO. 3-1115 SIAM THAI CUISINE RESTAURANT

This is a request for the City Council to approve a person-to-person transfer, operating with an interim permit. This Series 7 (Bar – Beer and Wine) liquor license for Siam Thai Cuisine Restaurant is located at 5008 West Northern Avenue, Suites #1-3. The Arizona State application (number 07070108) was submitted by Soontorn Gonzales.

The 60-day deadline for processing this application is May 21, 2007. This establishment is over 300 feet from any school or church. The location of the establishment will be 5008 West Northern Avenue, Suites #1-3 and is within the Cactus District, zoned C-2 (general commercial). This is a person-to-person transfer operating with an interim permit. Siam Thai Cuisine, located at 5008 West Northern Avenue, Suites #1-3, previously held this Series 7 license from October of 2000 to the present. The population density is 5,529 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 19 as listed below:

Series	Type	Quantity
6	Bar – All Liquor	4
7	Beer & Wine Bar	2
9	Liquor Store – All Liquor	6
10	Liquor Store – Beer & Wine	3
12	Restaurant – All Liquor	3
14	Private Club	1
	Total	<hr/> 19

No previous action has occurred.

No protests were received during the 20-day posting period.

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department, have reviewed the application, determined that it meets all technical requirements and have approved this license. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

3. LIQUOR LICENSE NO. 3-1117 BEVMO!

This is a request for the City Council to approve a person-to-person and location transfer of this Series 6 (Bar – All Liquor) license for BevMo!, located at 6712 West Bell

Road. The Arizona State application (number 06070313) was submitted by Randy D. Nations.

The 60-day deadline for processing this application is May 25, 2007. The location of the establishment will be 6712 West Bell Road and is within the Sahuaro District, zoned PAD (Planned Area Development). This establishment is over 300 feet from any school or church. CVS Pharmacy #9301 has operated at this location from June of 2006 to August of 2006 and held a Series 6 liquor license for the duration. This is a person-to-person and location transfer of this Series 6 liquor license. The population density is 2,989 people per square mile. The approval of this license will increase the total number of liquor licenses in this area by one. The number of liquor licenses within a one-mile radius is 31 as listed below:

Series	Type	Quantity
6	Bar - All Liquor	6
7	Bar - Beer & Wine	1
9	Liquor Store - All Liquor	3
10	Liquor Store - Beer & Wine	6
12	Restaurant - All Liquor	15
	Total	<hr/> 31

No previous action has occurred.

No protests were received during the 20-day posting period.

The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department, have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

4. AGREEMENT TO PARTICIPATE IN COMMERCIAL PURCHASING CARD PROGRAM

This is a request for the City Council to authorize the city manager to enter into an agreement to participate in a commercial purchasing card program with Chase Bank USA, National Association, to provide procurement card services to the city.

Approval of this agreement will assist in achieving the Council goals of providing high-quality services in a fiscally sound manner.

The city has had a procurement card program since 1996, and has found it to be successful in meeting its intended purpose for small dollar purchases. The program reduces transaction costs, reduces procurement process time, provides card financial controls and offers a variety of reporting capabilities.

The City of Tucson issued a Request for Proposal, which was publicly advertised throughout Arizona, for a procurement card system in which five firms responded. After careful evaluation based upon the selection criteria, Chase Bank USA was selected as the contractor. The Chase Bank USA program provides the merchant acceptance of MasterCard to meet the city's broad need for retail, commercial and industrial suppliers. In addition, Chase Bank USA maintains 24/7 customer service coverage for procurement card clients has an expanded rebate program and provides an opportunity for a long-term agreement.

Participation in the purchasing card program requires a cooperative purchasing agreement (IGA) with the City of Tucson and a Participation Agreement with Chase Bank USA that incorporates the Master Agreement between Chase Bank USA and the City of Tucson.

The participation agreement may continue through November of 2008. The proposal specifications contain an option clause that will permit the city to extend this agreement for three additional, two-year terms.

In April of 2004, the city utilized a Maricopa County cooperative contract and entered into an agreement with American Express for procurement card services.

In May of 2001, the city utilized a State of Arizona cooperative contract and entered into an agreement with Bank of America for procurement card services.

In May of 1996, the Council awarded a contract with First National Bank of Chicago for procurement card services, RFP 96-10.

A procurement card program provides a cost-effective process for small purchases and provides businesses with immediate payments. Transaction costs and processing time are reduced with the elimination of invoicing and the payment is received within days of the transaction.

The recommendation was to approve the participation agreement with Chase Bank USA, National Association for the utilization of procurement card services.

5. AWARD CONSTRUCTION CONTRACT - 71ST AND ORANGEWOOD AVENUES PARK PROPERTY

This is a request for the City Council to award a contract to JMH Company, LTD for Phase I construction of park property located at 71st and Orangewood Avenues.

The construction of the park is consistent with the Council-approved Parks and Recreation Master Plan and the Council's strategic goals of providing one community with strong neighborhoods and a city with high-quality services for citizens.

In January of 2006, the city entered into an agreement with HDR, Inc. to conduct public meetings and develop a design for Phase I of the park.

In May of 1994, Glendale entered into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for the west side flood control project. The IGA authorized the FCDMC to design and construct a flood control basin along Orangewood Avenue. Once the project was complete, the site would be turned over to the city to maintain and develop into a community park.

The Parks and Recreation Department Master Plan identifies the 38-acre property as a future community park. Phase I includes developing a neighborhood park located on five acres of the northwest portion of the property and features recreational courts, ramadas, shaded playgrounds, landscaping and a turf play area. Future park development plans include improvements such as lighted multi-use sports fields, restrooms, parking and site improvements.

In January of 2006, the Council approved a professional service agreement with HDR, Inc. to develop a park master plan for Phase I.

In November of 2002, the Council approved the purchase of 22-acre retention basin adjacent to the 16.22 acres. The 16.22 acres are located to the north of the 22-acre retention basin.

In March of 2000, the Council approved the purchase of the 16.22 acres located at 71st Avenue and Frier Drive.

In May of 1994, the Council authorized an IGA with the Maricopa County Flood Control District.

The Phase I park development is in accordance with the Parks and Recreation Master Plan recommendations. The park will provide the neighborhood and surrounding community a safe place for youth and families to recreate and add amenities currently not available in this service area.

The initial public meeting, which was held on July 14, 2005 in the City Council Chambers, solicited input from the public and discussed park priorities. Information gathered at this meeting was used to develop several park concepts for presentation to the public at the next meeting.

A second public meeting was held on September 15, 2005 at Desert Spirit Elementary School. At the second meeting, the consultant and staff presented several park concepts that represented the public input from the previous meeting by selecting amenities that best fit the needs and interests of the park users.

In addition, public input collected for the 2002 Parks and Recreation Master Plan identified accessible neighborhood parks as a top priority. This input was generated through a citywide survey in 1999 and public meetings held in 2001.

Funding for this project is included in the Fiscal Year 2006-07 Capital Improvement Program.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$1,213,974

Account Name, Fund, Account and Line Item Number:

Park Development – 71st/Orangewood, Account No. 1460-72500-550800

The recommendation was to award a construction contract to JMH Company, LTD for the construction of Phase I of the community park at 71st and Orangewood Avenues in an amount not to exceed \$1,213,974.

CONSENT RESOLUTIONS

6. GOVERNOR'S OFFICE ON HIGHWAY SAFETY GRANT PROPOSAL FOR ELECTRONIC CITATION HANDHELD DEVICES

This is a request for City Council authorization for the submission of a grant proposal from Glendale City Court to the Governor's Office on Highway Safety. The inclusion of this resolution is required for the grant application. Through this funding source, the court is seeking approximately \$60,000 to purchase 15 electronic hand-held traffic citation-ticketing devices for Glendale Police patrol units. The court is collaborating with the Police Department as partners in this grant proposal. Alternative grant funding has already been utilized to purchase five of these devices, which are currently deployed to patrol officers.

This request addresses the City Council strategic priority of "One Community Focused on Public Safety for Citizens and Visitors".

The Glendale City Court and the Glendale Police Department have both submitted previous successful grant proposals to the Governor's Office on Highway Safety to fund various projects and equipment.

The electronic ticketing devices produce traffic citations much more quickly than standard hand-written citations. They also result in fewer mistakes and increased efficiency in processing these cases in court. Research also identifies enhanced safety outcomes for officers who utilize these devices.

The figures below are estimates.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
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X		X		X	\$60,931
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Account Name, Fund, Account and Line Item Number:

A specific account will be established in Fund 47, the city's grant fund, if the grant agreements are formally executed.

If awarded this grant, the police will incur ongoing associated annual expenses of approximately \$3,750 for maintenance agreements and \$3,850 for compatible thermal paper.

The recommendation was to waive reading beyond the title and adopt a resolution allowing Glendale City Court to apply for and accept grant funding from the Governor's Office on Highway Safety for the purchase of 15 electronic citation ticketing devices.

Resolution No. 4049 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION AND ACCEPTING THE GRANT OFFER IN THE AMOUNT OF \$60,930.56 FROM THE ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR ELECTRONIC TRAFFIC CITATION TICKETING DEVICES FOR THE GLENDALE POLICE DEPARTMENT.**

7. **INTERGOVERNMENTAL AGREEMENT FOR A COURT CASE PROCESSING SOFTWARE APPLICATION**

This is a request for City Council authorization to extend an intergovernmental agreement (IGA) with the following cities, on behalf of their respective city courts, to continue operating the AZTEC Wizard court case processing software: Avondale, Goodyear, Peoria, Surprise, and Scottsdale. The agreement would be effective July 1, 2007 and renewable thereafter for one year with three additional one-year-renewal options.

Case processing in the City Court is primarily controlled by a software program provided by the Arizona Supreme Court's Administrative Office of the Court called AZTEC. The AZTEC case management software program, as a general statewide system, has limitations, which create constraints and parameters on each individual court's performance and case administration capabilities. The court continues to experience increasing caseloads, filings, and demands on staff time to manage data-intensive cases and provide high quality service leads to the public. Extending this IGA will optimize technology and automation applications, resulting in real-time access and readability of data regarding cases, calendaring, tracking, sentencing, financial reporting, electronic notices, and other important functions. The AZTEC Wizard was created by Scottsdale City Court.

On July 12, 2004, the Council authorized the City Court to spend \$69,000 of the Court's Fill The Gap grant monies in order to provide improvements to court automation and case processing. These funds were awarded by the Arizona Supreme Court's Administrative Office of the Courts, of which \$42,000 was identified for installation and maintenance of the AZTEC Wizard technology. On November 23, 2004, the Council authorized the City of Glendale to enter into an intergovernmental agreement (IGA) with other West Valley cities, on behalf of their respective city courts, to implement AZTEC Wizard court case management software. The agreement is effective until June 30, 2007.

The enhancement of the Court's case management system has provided staff with tools to perform their job in a more efficient manner. Additionally, court customers are able to receive information in a timelier manner.

Scottsdale City Court continues to program improvements to the AZTEC Wizard. By remaining in the current agreement, Glendale City Court continues to receive improvements to our case management system.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$42,000

Account Name, Fund, Account and Line Item Number:

City Court Revenue, 1240-10520

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the extension of an intergovernmental agreement with the cities of Avondale, Goodyear, Peoria, Surprise, and Scottsdale, on behalf of their respective city courts, to continue programming of the AZTEC Wizard court case processing software.

Resolution No. 4050 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SCOTTSDALE FOR THE USE OF AZTEC WIZARD BY THE GLENDALE CITY COURT.**

Mr. Leonard Clark, a Barrel resident stated that he supports Resolution's four and five. He thanked the Council for doing a great job and making the city such a wonderful place to live.

It was moved by Frate, and seconded by Clark, to approve the recommended actions on Consent Agenda Item Nos. 1 through 7, including the approval and adoption of Resolution No. 4049 New Series and Resolution No. 4050 New Series; and to forward Liquor License Application No. 3-1114 for Garcia's Mexican Restaurant, Liquor License Application No. 3-1115 for Siam Thai Cuisine Restaurant, and Liquor License Application No. 3-1117 for Bevmo! to the

State of Arizona Department of Liquor Licenses and Control, with the recommendation for approval. The motion carried unanimously.

BIDS AND CONTRACTS

8. AUTHORIZATION FOR INCREASED SPENDING TO TROJAN TECHNOLOGIES, INC. FOR ULTRAVIOLET DISINFECTION SYSTEMS

Mr. Roger Bailey, P.E., Utilities Director, presented this item.

This is a request for the City Council to authorize the increase of \$150,000 to the annual contract amount of \$250,000 with Trojan Technologies, Inc. for the ongoing maintenance and repair parts for the ultraviolet (UV) disinfecting systems for the Arrowhead Ranch Water Reclamation Facility (ARWRF) and the West Area Water Reclamation Facility (WAWRF). The spending limit with Trojan Technologies for these services will increase from \$250,000 to \$400,000 annually.

The City of Glendale's Arrowhead Ranch Water Reclamation Facility (ARWRF) and the West Area Water Reclamation Facility (WAWRF) use Trojan Technologies™ ultraviolet disinfection systems to meet regulatory requirements to help protect the public health. These UV systems require hundreds of UV lamps, which emit ultraviolet light to disinfect the reclaimed effluent water and destroy harmful organisms. The UV systems operate continuously at both facilities and require weekly replacement of UV bulbs under normal operating conditions. Other associated parts such as crystal lamp sleeves, automatic sleeve cleaning units, lamp ballasts, and hydraulic drive mechanisms require yearly manufacturer directed replacement to assure optimum effective disinfection.

These UV disinfecting systems and their replacement parts are proprietary in nature and Trojan Technologies is the manufacturer and sole distributor for the replacement parts. Recently, Trojan Technologies increased the size of the UV system at the WAWRF beyond the original design in an attempt to assure regulatory compliance with the recent plant expansion. This increase in the number of units beyond the original estimates has increased the need for spare and replacement parts.

On April 13, 2004, the Council authorized the Utilities Department to spend up to \$250,000 annually for the repair and maintenance parts from Trojan Technologies for the UV disinfecting systems at the Arrowhead Ranch Water Reclamation Facility and the West Area Water Reclamation Facility.

On July 23, 2002, the Council approved the ongoing purchase of maintenance and repair parts for the UV disinfecting systems at the ARWRF and the WAWRF from Trojan Technologies in the amount of \$150,000 annually.

The benefit to the community is providing a safe high-quality effluent for community lakes and recharge facilities.

Funding is available in the ARWRF and WAWRF operating budget.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$150,000

Account Name, Fund, Account and Line Item Number:

ARWRF, No. 2360-17160-523400

WAWRF, No. 2360-17170-523400

The recommendation was to authorize an increase of \$150,000 to the annual contract amount with Trojan Technologies, Inc. for the ongoing repair and maintenance parts for the UV disinfecting systems at the Arrowhead Ranch Water Reclamation Facility and the West Area Water Reclamation Facility. The spending limit with Trojan Technologies for these services will increase from \$250,000 to \$400,000 annually.

Mr. Leonard Clark, a Barrel resident stated that he strongly supported the contract increase to help keep the city water clean.

It was moved by Lieberman, and seconded by Martinez, to authorize an increase of \$150,000 to the annual contract amount with Trojan Technologies, Inc. for the ongoing repair and maintenance parts for the UV disinfecting systems at the Arrowhead Ranch Water Reclamation Facility and the West Area Water Reclamation Facility. The spending limit with Trojan Technologies, Inc. for these services will increase from \$250,000 to \$400,000 annually. The motion carried unanimously.

ORDINANCES

9. ANNEXATION AREA NO. 167 ORDINANCE: 83RD AVENUE NEAR THE NORTHWEST CORNER OF BELL ROAD AND LOOP 101

Mr. Jon Froke, AICP, Planning Director, presented this item.

This is a request for the City Council to adopt an annexation ordinance for Annexation Area No. 167, which consists of less than one acre and is located on the original 83rd Avenue alignment near the northwest corner of Bell Road and Loop 101.

Glendale 2025, the city's General Plan, includes specific goals addressing the need for growth management. The Land Use Element, Goal 2 – "Promote sound growth management methods" and the Growth Areas Element, Goal 3 – "Manage growth to achieve reasonable, responsible urban development". Annexation is a tool that can be used by the city to direct and manage growth.

The property is proposed to be developed as part of the Palm Canyon office condominium complex, and currently zoned Rural Residential (R-43) in Maricopa

County. Development of Palm Canyon will include 13 acres of property that is currently within the City of Glendale, the less than one-acre property within this annexation request, and a future 18-acre annexation/deannexation with the City of Peoria.

Appropriate signatures have been gathered in support of annexation. The annexation will ensure that the development and all improvements are developed within the city and adhere to city standards. To provide comparable zoning with the existing county zoning, the initial Glendale zoning for the property will be Agricultural (A-1).

On February 27, 2007, the Council conducted a public hearing on the blank annexation petition for Annexation Area No. 167 as required by State Statute. At its November 21, 2006 workshop, the Council directed staff to proceed with the annexation process for this site, as well as the subsequent 18-acre annexation/deannexation with the City of Peoria.

The annexation of this area would require that any future development meet the Glendale General Plan requirements, as well as comply with the city's current development standards and policies.

The recommendation was to waive reading beyond the title and adopt an ordinance for Annexation Area No. 167.

Ordinance No. 2562 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GLENDALE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, SECTION 9-471, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY TO BE KNOWN AS ANNEXTION AREA NO. 167.**

It was moved by Frate, and seconded by Knaack, to approve Ordinance No. 2562 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting "nay": none.

10. AMEND GLENDALE CITY CODE RELATING TO FIRE HYDRANT METERS; AND UTILITIES MISCELLANEOUS CUSTOMER SERVICE FEES

Mr. Roger Bailey, P.E., Utilities Director, presented this item.

This is a request for the City Council to adopt an ordinance amending Glendale City Code Secs. 33-76 and Section 33-83. Amending Sec. 33-76, Bulk Water Rates and Fire Hydrant Meters, will adjust the current language from "two-inch" meter to "three-inch" meter in order to reflect the current water industry standards. The amendment to Sec. 33-83 will allow the Utilities Miscellaneous Customer Service Fees

to be reviewed annually and automatically adjusted in accordance with the CPIU (Consumer Price Index Urban Users) inflationary index. The effective date of this ordinance will be July 1, 2007.

The proposed amendments will ensure that contractors pay the actual costs associated with providing bulk water and that the miscellaneous customer service fees are paid only by those who use those services. This is in keeping with the Council's goal of a city that is fiscally sound and its key objective to continue the budget process with full disclosure of true costs and realistic analyses.

The three-inch water meter is the standard meter size used for delivering bulk water to contractors through fire hydrant connections. Currently, the city utilizes only the standard three-inch fire hydrant meters for delivering bulk water for contractors, but continues to bill for bulk water at the base rate of a two-inch meter. Amending the Glendale City Code as requested would increase the base rate from \$26.53 to \$53.02 per meter, resulting in an approximate annual increase of \$27,500 in revenues. This change will allow the city to capture the true cost of providing this service to contractors.

The Utilities Miscellaneous Customer Service Fees established under Section 33-83 need to be consistent with the Community Development Fees established under Section 2-3. Under Section 33-83, as amended, the Water Miscellaneous Customer Service Fees will be automatically adjusted annually in accordance with the Consumer Price Index Urban Users inflationary index.

At the February 20, 2007 Workshop, the updated fee schedule, as well as new fees, were presented to the Council. Staff was advised by Council to bring forward the updated and proposed new fees to an evening Council meeting for adoption. Although presented as part of the Community Development Fee Schedule, the requested ordinance change and revised Utilities Miscellaneous Customer Service Fees must be presented separately because they are part of the Enterprise fund and therefore under separate state statute.

At the June 11, 2002 meeting, Ordinance No. 2260 was adopted approving the current community development fees with an annual fee adjustment in accordance with the Consumer Price Index Urban Users (CPIUU) inflationary index. At this meeting, Councilmembers stated that the city needs to: begin to recover the costs of development business and keep up with consumer price index and to raise our fees to be consistent with other valley cities.

The increase, from "two-inch" meter to "three-inch" meter, is consistent with the current water industry standard. This change will allow the city to capture the true cost of providing this service to contractors.

The revised Utilities Miscellaneous Customer Service Fees will benefit customers by paying only for those services they receive. It will also provide customers whose

water service has been disconnected an option for after-hour service at an additional cost.

The recommendation was to waive reading beyond the title and adopt an Ordinance amending Glendale City Code Sec. 33-76 relating to fire hydrant meters and Sec. 33-83 relating to miscellaneous customer service fees, both amendments becoming effective July 1, 2007.

Mr. Leonard Clark, a Barrel resident stated that he thought these ordinances were good for the citizens of Glendale because they would not be losing any revenue and it made the contractors pay their fair share not just the citizens of Glendale.

Ordinance No. 2563 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 33, ARTICLE II, SECTION 33-76 RELATING TO FIRE HYDRANT METERS AND SECTION 33-83 RELATING TO MISCELLANEOUS CUSTOMER SERVICE FEES; AND ESTABLISHING AN EFFECTIVE DATE.**

It was moved by Goulet, and seconded by Frate, to approve Ordinance No. 2563 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Martinez, Frate, Knaack, and Scruggs. Members voting "nay": none.

PUBLIC HEARING - RESOLUTIONS

11. PROPOSED INCREASE OF UTILITIES MISCELLANEOUS CUSTOMER SERVICE FEES

Mr. Roger Bailey, P.E., Utilities Director, presented this item.

This is a request for the City Council to hold a public hearing and adopt a resolution implementing adjustments to the Utilities miscellaneous customer service fees effective July 1, 2007.

In keeping with the Council's goal of a city that is fiscally sound with the key objective to continue honesty in the budget process with true costs and realistic analyses, the Utilities Department has developed a fee schedule designed to achieve this goal and key objective.

Utilities staff reviewed the existing Utilities customer service miscellaneous fee schedule and current relevant City Codes and determined that the current fees were insufficient to cover the cost of services provided. The results of the study revealed the city was recovering, on average, 50% of the costs of these services. The revised fee structure includes nine miscellaneous customer service fees, two of which are new fees

to cover costs associated with after-hour water reconnects and unauthorized water use. In addition, a change in wording in City Code Section 33-76 will allow the city to charge for bulk water at the three-inch (3") meter rate instead of the current two-inch meter rate.

These fees are not related to the Utilities rates. The majority of the water customers are not impacted by the proposed increases, as they primarily address delinquencies and unauthorized users. The reviewed fees are user-based and apply only to a limited number of customers who utilize the services.

Utilities is an Enterprise fund and, according to state statute, any adjustment in water rates must go through a public notice of intent and public hearings process before any adjustments can be adopted. The Miscellaneous Customer Service Fees established under Section 33-83 need to be consistent with the Community Development Fees established under Section 2-3. Under Section 33-83, as amended, the Miscellaneous Customer Service Fees will be automatically adjusted annually in accordance with the Consumer Price Index Urban Users inflationary index.

On March 27, 2007, the Council adopted a notice of intention to increase Utilities Miscellaneous Customer Service Fees and set the public hearing for May 8, 2007.

At the February 20, 2007 Workshop, the updated fee schedule, as well as new fees, were presented to the Council. Staff was advised by the Council to bring forward the updated and proposed new fees to an evening Council meeting for adoption. Although presented as part of the Community Development Fee Schedule, the Utilities Miscellaneous Customer Service Fee Schedule must be presented separately because it is part of the Enterprise fund and therefore under separate state statute.

At the June 11, 2002 meeting, Ordinance No. 2260 was adopted approving the current community development fees with an annual fee adjustment in accordance with the Consumer Price Index Urban Users (CPIUU) inflationary index. At this meeting, Councilmembers stated that the city needs to begin to recover the costs of development business and keep up with consumer price index.

The recommended fee schedule revisions will assist in defraying the expenses involved with specific operational activities from the customers who require those services rather than having those activities subsidized by all customers. Customers will benefit by paying only for those services they receive. These services include, but are not limited to, delinquent disconnects, unauthorized water use, and new accounts. In addition, it will provide customers whose water service has been disconnected an option for after-hour service at an additional cost.

Public input will be received during the May 8, 2007 public hearing.

The recommendation was to conduct a public hearing, waive reading beyond the title, and adopt a resolution implementing Miscellaneous Customer Service Fee adjustments effective July 1, 2007.

Mayor Scruggs opened the public hearing on Agenda Item No. 11. As there were no comments, Mayor Scruggs closed the public hearing.

Resolution No. 4051 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE UTILITIES MISCELLANEOUS CUSTOMER SERVICE FEES PURSUANT TO GLENDALE CITY CODE SEC. 33-83.**

It was moved by Martinez, and seconded by Goulet, to pass, adopt and approve Resolution No. 4051 New Series. The motion carried unanimously.

12. AMENDMENT TO THE FY 2006-07 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN

Mr. Gilbert Lopez, Community Revitalization Administrator, presented this item.

This is a request for the City Council to conduct a public hearing and approve an amendment to the Fiscal Year 2006-07 Community Development Block Grant (CDBG) Annual Action Plan. Granting this request will allow the city to reallocate \$159,139 in unused funding and project savings for the following two local non-profit organizations: (a) \$100,000 will supplement the expansion of the St. Mary's/Westside Food Bank Alliance; and (b) \$59,139 will support Arizona Bridge to Independent Living (ABIL) for additional accessibility modifications through the "Glendale Home Accessibility Program".

This amendment will further enhance the level of customer service to those in need of a temporary food supply and/or accessibility modifications. It is fiscally sound in that it reflects the timely reallocation of funding to address immediate needs that enhance the quality of life for Glendale residents.

The City of Glendale receives funding from the U.S. Department of Housing and Urban Development (HUD) and allocates these funds through an extensive public process. The Community Revitalization Division continuously monitors the timely and efficient use of the funds, and looks for opportunities that help us reach our community goals. Through this process, staff identified the opportunity to reallocate these funds and meet funding shortfalls. When a substantial change in the allocation of federal funds from one category to another is proposed, the Annual Action Plan must be amended to inform the public of the proposed changes.

On March 28, 2007, staff presented the amendment to the Community Development Advisory Committee (CDAC) for its consideration. The CDAC then

conducted a public hearing and unanimously voted to approve the amendment and forward it to the Mayor and Council for consideration.

The city's Five-Year Consolidated Plan identifies community needs and outlines the actions that will be taken to address those critical issues. This amendment will provide additional resources to the community in services that assist the most vulnerable in our community.

On March 28, 2007, the CDAC conducted a public hearing to solicit input and discuss the amendment. On March 22, 2007, the proposed amendment was published in *The Glendale Star*, advising the public of the 30-day comment period, beginning March 30, 2007 and ending May 1, 2007.

The CDBG program is a federally funded entitlement provided by HUD. Council-approved activities are described in our Fiscal Year 2006-07 CDBG Annual Action Plan. If approved, the amendment will allow the city to apply \$100,000 of unspent CDBG funds to St. Mary's/Westside Food Bank Alliance for facility improvements; and \$59,139 to ABIL, to provide additional accessibility improvements through the Glendale Home Accessibility Program, as part of the city's housing rehabilitation program benefiting citizens with disabilities.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$159,139

<u>Account Name, Fund, Account and Line Item Number:</u> Community Development Block Grant, Fund 1320

The recommendation was to conduct a public hearing, waive reading beyond the title and adopt a resolution authorizing the approval of the Amendment to the Annual Action Plan for Fiscal Year 2006-07.

Mayor Scruggs opened the public hearing on Agenda Item No. 12.

Mr. Leonard Clark, a Barrel resident, thanked the City Council for cutting through the red tape and making this program happen for the city. He said that he strongly supported this venture.

Mayor Scruggs closed the public hearing.

Resolution No. 4052 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE SUBMISSION OF AN AMENDMENT TO THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2006-07 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE**

AMOUNT OF \$159,139 BY ALLOCATING \$100,000 TO ST. MARY'S/WESTSIDE FOOD BANK ALLIANCE FOR FACILITY IMPROVEMENTS AND \$59,139 TO ARIZONA BRIDGE TO INDEPENDENT LIVING (ABIL) FOR ADDITIONAL ACCESSIBILITY MODIFICATIONS THROUGH THE GLENDALE HOME ACCESSIBILITY PROGRAM.

It was moved by Lieberman, and seconded by Clark, to pass, adopt and approve Resolution No. 4052 New Series. The motion carried unanimously.

RESOLUTIONS

13. CALL OF SPECIAL ELECTION SEPTEMBER 11, 2007

Mr. Ed Beasley, City Manager, presented this item. Mr. Mark Burdick, Fire Chief and Mr. Steven Conrad, Police Chief also presented information.

This is a request for the City Council to adopt a resolution to call a Special Election for September 11, 2007. The resolution identifies the key dates and propositions for the election.

Municipal elections promote increased citizen involvement in all aspects of municipal government.

At the April 10, 2007, City Council Workshop, the Council discussed various options for funding Public Safety needs based on current assessments and studies. The Council requested that the proposal to change the Public Safety tax rate be sent to City of Glendale voters at a September 2007 Special Election.

The recommendation was to waive reading beyond the title and adopt a resolution calling for a Special Election for September 11, 2007.

Mr. Mark Burdick, Fire Chief, stated that both the fire and police departments had very distinct missions and roles that they represented in protecting life and property. He explained that two budget scenarios were presented to Council to help them meet those needs. He stated that there were many needs required to serve the community with faster response times and updated state of the art equipment.

Mayor Scruggs stated that an increase in the Public Safety tax rate would fund needed personnel and apparatus to continue the excellent service provided by the Fire and Police Departments. She noted that the public wanted to see where this money would be going and also see if it would make a difference should they not receive funding. She asked Chief Burdick how he would make the public feel confident that the increase in money, if approved, would actually produce the projected outcome.

Chief Burdick replied that the current Public Safety sales tax requires the approval of the City Council for expenditures and should this tax pass this process

would continue. He said they would also continue to renew the needs assessment annually and assess the current status. He added that the accreditation process would also be a tool used to gauge progress.

Councilmember Clark commented that this tax, if approved, would take three to four years to implement and meet the needs that are currently identified. Chief Burdick stated that she was correct, based on today's projections.

Councilmember Lieberman stated that when discussing the three to four year plan, he believes they would be able to see an improvement in the first year because of the immediate smaller changes that would happen. Chief Burdick agreed.

Mr. Steven Conrad, Police Chief, summarized the staffing study for the police department with the focus being on hiring personnel. The plan was to be implemented over a three-year period because of the amount of people being hired and trained. He explained that staff provided two scenarios with the second scenario allowing them to implement the hiring called for in the staffing study and to address many more critical needs to support their mission of protecting the lives and the property of the citizens of Glendale. He discussed the impact of the proposed ordinance language without the clause "other items". He provided examples of other items that the police department needed to be able to do their job efficiently such as professional development funding, funding for overtime, contract services like a psychiatrist for officers involved in critical incidents, and enhanced technology.

Councilmember Frate asked Chief Conrad if he believes the language "other items" should be included. Chief Conrad said yes, it should. Councilmember Frate asked if the police department was accredited. Chief Conrad stated that they had been re-accredited as recently as this past July.

Councilmember Clark discussed the number of officers being hired within a year should the tax pass. She asked why there was such a need for non-sworn personnel. Chief Conrad stated that police officers needed additional non-sworn support to conduct their duties efficiently and proficiently. He added that some officers are being put in positions other than duties normally performed by sworn officers, when they are needed out in the field. He stated that they would complete a staffing analysis annually and brings it before the Council as part of next fiscal year's budget request. Councilmember Clark stated that the bottom line was that these were needs that could not be met from the General Fund because they were so overwhelming at this point. She said they must look to another source and hope that the voter agrees this would be an appropriate use of the sale tax revenue.

Councilmember Lieberman agreed with Councilmember Clark's statement that the need was overwhelming. He noted that since he started serving on the Council, they had grown 70% and had not funded the police department for that growth. He said that they were in need of equipment and manpower. He stated that he highly praised the Chiefs for their efforts.

Mayor Scruggs stated the Glendale police department needs 99 police officers as well as non-sworn employees, now. She said that it was one of the main reasons they had gotten to this point in having to make this decision. She explained that the citizens were looking for an increase in police presence in their neighborhoods. She asked Chief Conrad what would be the method used to gauge the presence of additional officers the citizens voted to hire.

Chief Conrad discussed several plans that are in the works for recruiting. He stated that they were going to do everything in their power to address recruiting, training, hiring and any attrition starting at the beginning of the fiscal year. He said that they had also developed a strategic plan called Strategies for a Safer City, which included opportunities for increased interaction between citizens and police officers. He noted that he would also be providing a staffing study for the Council annually.

Vice Mayor Martinez commented that the Council had made it publicly known that public safety was their number one priority and therefore had asked both Chiefs to assess their needs and report back to Council. He stated that they had done that and was pleased with the two scenarios that came back with balanced budgets. He thanked and complimented both Chief Burdick and Chief Conrad for their leadership.

Mr. Leonard Clark, a Barrel resident stated his approval for holding the election in September. He said that he was very grateful to both public safety agencies for doing such a great job. He said that the citizens needed to support them and vote accordingly. He added that he strongly supports this resolution.

It was moved by Knaack, and seconded by Goulet, to pass, adopt and approve Resolution 4053, New Series with the following amendments: to amend the title clarifying the date of the election as September 11, 2006, and to amend Proposition 401, Section 2, LAW ENFORCEMENT FUNDING (66 2/3%) to read: "Two thirds of the revenue generated by that portion of the City of Glendale privilege (sales) tax rate that is dedicated to public safety shall be expended for the purpose of securing the necessary personnel, equipment and other items for the Glendale Police Department to carry out their law enforcement mission efficiently and effectively in order to enhance the public safety of the community. All funds from this category must be spent within the Glendale Police Department.

Resolution No. 4053 New Series was read by number and title only, it being A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REFERRING THE FOLLOWING PROPOSED AMENDMENT OF CHAPTER 21.1 OF THE CODE OF THE CITY OF GLENDALE TO THE QUALIFIED ELECTORS OF THE CITY OF GLENDALE FOR THEIR APPROVAL OR REJECTION AT THE NEXT MUNICIPAL SPECIAL ELECTION TO BE HELD SEPTEMBER 11, 2007: PROPOSITION 401

(PUBLIC SAFETY FUNDING ENHANCEMENT). The motion carried unanimously.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Martinez, and seconded by Frate, to hold a City Council Workshop at 1:30 p.m. on Tuesday, May 15, 2007 in Room B-3 of the City Council Chambers, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Mr. Leonard Clark, a Barrel resident, stated that he had concerns with the National Guard in the State of Arizona being deployed to Iraq. He said that they might be needed here for unforeseen emergencies. He suggested having a workshop to discuss getting the Glendale's reserve police officers, fire fighters and interested citizens to formulate a plan should an emergency occur.

Mr. Dan Hileman, a Sahuaro resident, stated that he commends the Council for obtaining citizen input on different issues concerning the City of Glendale. He also discussed how he appreciates the Public Works people and the work they do for the city. He also suggested drafting a letter to the Governor stating their concerns on adequate protection for the City of Glendale in regards to the National Guard and where they are committed.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Goulet said that he would be having a neighborhood meeting at the Orchard Glenn Association at 61st Ave. and Ocotillo, at 5:30pm. He stated his continued support for public safety because of all the diligent and dangerous work done by the public safety agencies everyday. He also wished his mother and all mothers a very Happy Mother's Day.

Councilmember Lieberman stated in reference to the National Guard, Mr. Leonard Clark had served his duty in Iraq.

Vice Mayor Martinez congratulated Michael Phillip Conium on obtaining his Eagle Scout badge.

Councilmember Frate stated that he would like to welcome back Joe Rivera, a city employee, from his tour in Iraq. He also wished all mothers a very Happy Mother's Day. He noted to not forget to watch children around water now that the temperatures have risen.

Councilmember Knaack wished her 88-year-old mother a Happy Mother's Day.

Mayor Scruggs congratulated the Fire Department on their accreditation.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:35 p.m.

Pamela Hanna

Pamela Hanna - City Clerk